

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

DONALD REYNOLDS and NORMAN YARBER, on behalf of themselves and all other persons similarly situated and the UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION, AFL-CIO/CLC,

Plaintiffs,

v.

RESOLUTE FOREST PRODUCTS, INC., RESOLUTE FP US INC., RESOLUTE FP US HEALTH AND WELFARE BENEFIT PLAN, and RESOLUTE FP US HEALTH REIMBURSEMENT ACCOUNT PLAN

Defendants.

Civil Action No.: 1:16-cv-00048-TAV-CHS

Class Action

Demand for Jury Trial

PLAINTIFFS' MOTION FOR ATTORNEYS' FEES, COSTS, AND EXPENSES

Plaintiffs Donald Reynolds and Norman Yarber ("Class Representatives"), and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO/CLC ("USW"), have entered into a proposed settlement with Defendants Resolute Forest Products, Inc., Resolute FP US Inc., Resolute FP US Health and Welfare Benefit Plan, and Resolute FP US Health Reimbursement Account Plan ("Defendants").

On May 29, 2018, Magistrate Judge Steger held a hearing on Plaintiffs' unopposed motion for (1) class certification of the Settlement Class (as defined in the Settlement Agreement at Doc. #60-1); (2) preliminary approval of the Settlement Agreement; (3) approval of the proposed Class Notice; and (4) entry of an order setting a date for a hearing on the fairness of the Settlement Agreement pursuant to Fed. R. Civ. P. 23(e)(2), along with other pertinent dates. See

[Doc. #65].

Thereafter, on June 5, 2018, this Court entered an order granting class certification of a Settlement Class, appointing Class Representatives to represent the Class and Feinstein Doyle Payne & Kravec, LLC and Barrett Johnston Martin & Garrison, LLC as Class Counsel, and preliminarily approving the Settlement Agreement. [Doc. #69].

As part of the settlement, Defendants have agreed to pay attorneys' fees, costs, and expenses in an amount not to exceed \$100,000. [Doc. #60-1 at ¶ 6.A]. The Court's June 5, 2018 order preliminarily approving the Settlement Agreement specified that Plaintiffs' motion for fees, costs and expenses was due at least 21 days prior to the Final Fairness Hearing scheduled for August 3, 2018 and 7 days prior to the deadline for objections to the proposed settlement, which is July 20, 2018. See [Doc. #69 at ¶¶ 7-8].

Plaintiffs now seek, pursuant to Fed. R. Civ. P. 54(d)(2), \$96,779.61 in attorneys' fees and \$3,220.39 in costs and expenses, for a total fee and expense award of \$100,000.00. Plaintiffs submit the accompanying memorandum of law and other materials in support of this motion. Defendants do not oppose this motion.

Dated: July 12, 2018

Respectfully submitted,

s/ Joel R. Hurt

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on July 12, 2018, a copy of the foregoing document was filed electronically with the Clerk of Court using the ECF system, which will send notification of such filing to those persons registered in this case with the ECF system.

s/ Joel R. Hurt

Joel R. Hurt (admitted *pro hac vice*)